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5 UNITED STATES DISTRICT COURT
6 EASTERN DISTRICT OF WASHINGTON

7 LONNIE HARRIS,
8 Plaintiff,
9 vs.
10 EDWARD ALVES, *et al.*,
11 Defendants.

12 NO. CV-06-5068-RHW

13 **ORDER DENYING PLAINTIFF'S
MOTION TO RECONSIDER
ACCESS TO LEGAL
DOCUMENTS AS MOOT**

14 Before the Court is Plaintiff's Motion to Reconsider Access to Legal
15 Documents (Ct. Rec. 93). This motion was heard without oral argument. In an
16 earlier motion, Plaintiff stated that all of his legal material related to the above-
17 captioned matter was located at Airway Heights Corrections Center, whereas he is
18 currently imprisoned at the Pierce County Jail. He asked the Court to order the
19 Department of Corrections to release his legal documents. In response, the State
20 sent Plaintiff a letter acknowledging the box of legal documents' presence at
21 AHCC and stating AHCC had not yet received a request for the property from
22 Plaintiff.

23 In his current motion, Plaintiff states he mailed a letter requesting his legal
24 documents, but he had not, as of January 2, 2008, received them. Once again,
25 Defendants filed a response including an affidavit from defense counsel stating that
26 AHCC had indeed mailed Plaintiff's legal documents to Pierce County Jail, and
27 that Pierce County Jail had received them and placed them in his property.
28 Defense counsel also states that she wrote a letter to Plaintiff explaining that he

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1 should work with the Pierce County Jail staff to obtain access to the material.
2 From this exchange, it appears Plaintiff's motion to reconsider is moot, for his
3 legal documents are located with his property at the Pierce County Jail.

4 Accordingly, **IT IS HEREBY ORDERED:**

5 1. Plaintiff's Motion to Reconsider Access to Legal Documents (Ct. Rec.
6 93) is **DENIED as moot.**

7 **IT IS SO ORDERED.** The District Court Executive is hereby directed to
8 enter this Order and to furnish copies to Plaintiff and to defense counsel.

9 **DATED** this 28th day of January, 2008.

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11 *s/Robert H. Whaley*
12 ROBERT H. WHALEY
13 Chief United States District Judge

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